

REMARKS

This is intended as a full and complete response to the Restriction Requirement dated December 31, 2001, having a shortened statutory period for response set to expire on January 31, 2002. Claims 1, 4-15, 29-34, 41-51, and 71-80 are pending in the application and are subject to a restriction and/or election requirement.

Restriction of Species A and Species B is required under 35 U.S.C. § 121. The Examiner states that Species A is directed to a processing chamber having a chamber cover comprising a retaining ring, the embodiment shown in Figure 1, and Species B is directed to a processing chamber having a chamber cover comprising a backing plate, the embodiment shown in Figure 11.

Applicants elect species A, Figure 1, (claims 1, 4-15, 29-34, and 72-80) with traverse. Applicants believe claims 1, 4-15, 29-34, and 72-80 are readable on species A, and claims 41-51 and 71 are readable on species B. Applicant traverses the restriction on grounds that Species A, Figure 1, and Species B, Figure 11, are in combination/sub-combination relationship and are not distinct from each other as asserted by the Examiner.

Species A is described in Figures 1-10, and generally includes a retaining ring and a lid assembly connected to the retaining ring with embodiments of the lid assembly having one or more plates, of which one of the plates may be a backing plate. (See, page 8, lines 10-27, and Figures 1, 2, and 4.)

Species B is described in Figures 4-8 and 11, and generally includes a support frame in the shape of an annular ring supported on one or more insulating rings disposed on the chamber wall with one or more plates, such as a backing plate and an electrode plate, disposed on the support frame. (See, page 13, line 17, to page 14, line 8, and Figure 11.)

The Examiner has sought to distinguish Species A and B on ground that either a retaining ring or a backing plate is used. However, Figure 11 includes both a retaining ring and a backing plate. Thus, Species A and Species B as defined by the Examiner are structures that can be used together, and the Examiner has erroneously stated a basis for finding that the species are patentably distinct. Therefore, the Examiner has

not made the showing necessary for restriction of asserted species A and B. Applicants respectfully request withdrawal or modification of the restriction requirement between species A and B to permit prosecution of claims 1, 4-15, 29-34, 41-51, and 71-80.

Respectfully submitted,



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